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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,423	04/06/2000	Daniel Joseph Ondrus	200-0500	7482

7590

10/01/2002

John G Chupa
Chupa & Alberti P C
31313 Northwestern Highway
Suite 205
Farmington Hills, MI 48334

EXAMINER

KOCH, GEORGE R

ART UNIT

PAPER NUMBER

1734

DATE MAILED: 10/01/2002

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Official Communication

1. Newly submitted claims 15-22 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the inventions are distinct, each from the other because the inventions are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the joints are not required to be made in a substantially identical manner in the combination. The subcombination has separate utility such as bonding dissimilar joints or using the method in a business enterprise wherein similar joints in a business enterprise are bonded using different methods.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 15-22 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The amendment filed on 5-12-2002 canceling all claims drawn to the elected, originally presented, invention and presenting only claims drawn to a different and non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because, as indicated above, they are directed to an invention that is independent or distinct from the invention originally claimed.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

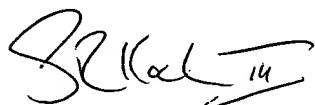
2. Based on a cursory review of the newly filed claims, it is not clear where in the specification as originally filed support for the newly filed claims resides. Applicant should note which sections of the specification supports the newly filed claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (703) 305-3435 (TDD only). If the applicant cannot make a direct TDD-to-TDD call, the applicant can communicate by calling the Federal Relay Service at 1-800-877-8339 and giving the operator the above TDD number. The examiner can normally be reached on M-Th 10-7.

Art Unit: 1734

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (703) 308-3853. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7718 for regular communications and (703) 305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



George R. Koch III
September 27, 2002



RICHARD CRISPINO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700